

ORIGINAL

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY	)	
AVERAGE WHOLESALE PRICE	)	MDL NO. 1456
LITIGATION	)	
_____	)	
	)	CIVIL ACTION
THIS DOCUMENT RELATES TO:	)	NO. 01-12257-PBS
<i>County of Suffolk v. Abbott Laboratories</i>	)	
<i>Inc., et al. 2:03cv229</i>	)	
_____	)	Judge Patti B. Saris

**NOTION OF APPEARANCE FOR PLAINTIFF COUNTY OF SUFFOLK AND MOTION  
FOR ADMISSION PRO HAC VICE**

PLEASE TAKE NOTICE, that the law firm of Kirby McInerney & Squire LLP hereby appears as counsel in this action for plaintiff County of Suffolk ("Suffolk").

Pursuant to Paragraph 16 of Case Management Order No. 1, Suffolk respectfully moves the Court for the admission *pro hac vice* of the lawyers listed below to practice before this Court as Suffolk's attorneys in this action. As appears from the accompanying declaration of each lawyer listed, each of them is a member of good standing of the bar of a district court of the United States. The appropriate filing fees are being submitted to the Clerk of the Court with this Notice and Motion.

The lawyers whose admission *pro hac vice* is sought are:

Joanne M. Cicala  
Daniel Hume  
Aaron Hovan  
Kirby McInerney & Squire  
830 3<sup>rd</sup> Avenue, 10<sup>th</sup> Floor  
New York, NY 10022  
Tel: 212-371-6600  
Fax: 212-751-2540

jcicala@kmslaw.com  
dhume@kmslaw.com  
ahovan@kmslaw.com

Suffolk requests that each of these lawyers be added to the Court's Master Service List.

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESAL PRICE  
LITIGATION

THIS DOCUMENT RELATES TO:

*County of Suffolk v. Abbott Laboratories  
Inc., et al.*, E.D.N.Y. 2:03cv229

)  
) MDL NO. 1456  
)  
)  
) CIVIL ACTION  
) NO. 01-12257-PBS  
)  
)  
) Judge Patti B. Saris

**PRO HAC VICE DECLARATION OF DANIEL HUME**

1. Mr. Hume, is and has been a member in good standing of the bars of the following United States Courts:

Supreme Court	2003
Court of Appeals for the Second Circuit	1995
Southern District of New York	1993
Eastern District of New York	1993

Mr. Hume is and has been a member in good standing of the bar of the State of New York since 1992;

2. There are no disciplinary proceedings pending against Mr. Hume as a member of the bar in any jurisdiction;
3. Mr. Hume is familiar with the Local Rules of the United States District Court for the District of Massachusetts.

WHEREFORE, the undersigned counsel respectfully moves Mr. Hume's admission to practice before this Court *pro hac vice*.

  
\_\_\_\_\_  
Daniel Hume

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY	)	
AVERAGE WHOLESALE PRICE	)	MDL NO. 1456
LITIGATION	)	
<hr/>	)	
	)	CIVIL ACTION
THIS DOCUMENT RELATES TO:	)	NO. 01-12257-PBS
<i>County of Suffolk v. Abbott Laboratories</i>	)	
<i>Inc., et al.</i> , E.D.N.Y. 2:03cv229	)	
<hr/>	)	Judge Patti B. Saris

**PRO HAC VICE DECLARATION OF AARON HOVAN**

1. Mr. Hovan, is and has been a member in good standing of the bar of the United States District Court for the Southern District of New York since 2003;
2. Mr. Hovan is and has been a member in good standing of the bar of the State of New York since 2003;
3. There are no disciplinary proceedings pending against Mr. Hovan as a member of the bar in any jurisdiction;
4. Mr. Hovan is familiar with the Local Rules of the United States District Court for the District of Massachusetts.

WHEREFORE, the undersigned counsel respectfully moves Mr. Hovan's admission to practice before this Court *pro hac vice*.



Aaron Hovan

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY	)	
AVERAGE WHOLESALE PRICE	)	MDL NO. 1456
LITIGATION	)	
_____	)	
	)	CIVIL ACTION
THIS DOCUMENT RELATES TO:	)	NO. 01-12257-PBS
<i>County of Suffolk v. Abbott Laboratories</i>	)	
<i>Inc., et al.</i> , E.D.N.Y. 2:03cv229	)	
_____	)	Judge Patti B. Saris

**PRO HAC VICE DECLARATION OF JOANNE CICALA**

1. Ms. Cicala, is and has been a member in good standing of the bars of the following United States District Courts of New York  


Southern District	1995
Eastern District	1995
2. Ms. Cicala is and has been a member in good standing of the bar of the State of New York since 1994;
3. There are no disciplinary proceedings pending against Ms. Cicala as a member of the bar in any jurisdiction;
4. Ms. Cicala is familiar with the Local Rules of the United States District Court for the District of Massachusetts.

WHEREFORE, the undersigned counsel respectfully moves Ms. Cicala's admission to practice before this Court *pro hac vice*.

  
\_\_\_\_\_  
Joanne M. Cicala

**CERTIFICATE OF SERVICE**

I hereby certify that on October 16, 2003 I caused a true and correct copy of the Appearance and Motion for Admission to be served on all Defendants either by First Class Mail to defendants on the attached list or electronically through Verilaw Technologies pursuant to Paragraph 11 of Case Management Order No. 2.

A handwritten signature in black ink, appearing to read 'Aaron Hovan', is written over a horizontal line.

Aaron Hovan

Dated: October 16, 2003

**DEFENDANTS TO BE SERVED BY MAIL**

**Agouron Pharmaceuticals Inc.**  
10350 North Torrey Pines Road  
Suite 100  
La Jolla, CA, 92037

**Counsel for Astrazeneca US**

Arthur F. Golden, Esq.  
D. Scott Wise, Esq.  
Kimberley D. Harris, Esq.  
Davis Polk & Wardwell  
450 Lexington Avenue  
New York, NY 10017

Nicholas C. Theodorou, Esq.  
Foley Hoag LLP  
155 Seaport Boulevard  
Boston, MA 02210-2600

Scott Garland, Esq.  
United States Department of Justice  
Suite 600  
1301 New York Avenue  
Washington, DC 20530

**Barr Laboratories, Inc.**  
400 Chestnut Ridge Road  
Woodcliff Lake, NJ 07677

**Counsel for Barr Laboratories, Inc.**

Karen Walker  
Pamela Auerbach  
Kirkland & Ellis  
655 Fifteenth Street, N.W.  
Suite 1200  
Washington, DC 20005

**Counsel for Biogen, Inc.**

Hale & Dorr LLP  
60 State Street  
Boston, MA 02109

**GENENTECH**

1 DNA Way  
South San Francisco, CA 94080-  
4990

**Glaxo Wellcome, P.L.C.**  
5 Moore Drive  
P.O. Box 13398  
Research Triangle Park, NC 27709-  
3398

**Ivax Corporation**  
4400 Biscayne Blvd.  
Miami, Florida 3313

**Ivax Pharmaceuticals, Inc.**

4400 Biscayne Blvd.  
Miami, Florida 3313

**Janssen Pharmaceutica Products,  
LP**

1125 Trenton-Harbourton Road  
Titusville, New Jersey 08560

**Counsel for Novartis  
Pharmaceuticals Corporation**

David J. Cerveney, Esq.  
Karen F. Green, Esq.  
Hale & Dorr, LLP  
60 State Street  
Boston, MA 02109

**Counsel for Ortho Biotech**

Andrew D. Schau, Esq.  
William F. Cavanaugh, Jr., Esq.  
Patterson, Belknap, Webb & Tyler  
1133 Avenue of the Americas  
New York, NY 10036

**Ortho McNeil Pharmaceutical, Inc.**

1000 US Hwy 202  
Raritan, NJ 08869

**Counsel for Ortho McNeil  
Pharmaceutical, Inc.**

Bruce A. Levy  
Gibbons, Del Deo, Dolan, Giffinger  
& Vecchione  
One Riverfront Plaza  
Newark, NJ 07102

**Counsel for Sanofi-Synthelabo,  
Inc.**

Colleen Hennessey  
Peabody & Arnold, LLP  
50 Rowes Wharf  
Boston, MA 02110

King & Spalding LLP  
1730 Pennsylvania Avenue, N.W.  
Washington, DC 20006

**Counsel for Tap Pharmaceutical  
Products**

Joseph F. Savage  
Testa, Hurwitz and Thibault, LLP  
125 High Street  
Boston, MA 02110

Daniel E. Reidy  
Jones Day  
77 West Wacker Drive  
Chicago, IL 60601